



AF / ITW
GP 2879

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Roland M. Morley et al.

§ Art Unit: 2879

Serial No.: 09/847,447

§ Examiner: S. Leurig

Filed: May 2, 2001

1. *What is the relationship between the two variables?*

For: Large Format Emissive
Display

§ Atty Docket: ITL.0535US
§ P10840

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

This responds to the new points raised by the Examiner in the Examiner's Answer.

The Examiner questions how the Applicants' claimed alignment devices can be used to align without the guidance of a user. Of course, that is not what the Applicants argued. The issue is not whether the alignment devices require any user involvement, but whether the alignment devices provide any alignment function whatsoever. The point that was made in the opening brief was that the so-called alignment devices suggested by the Examiner do not have any alignment function, but, instead, rely totally on the user to do the alignment.

The quibble here is certainly inconsistent with normal English language usage. The term “alignment device” is a well known term. It refers to a device that aids in alignment. It was never argued that a user would not interact with an alignment device.

Even if electrical contacts must be aligned in order to make an electrical connection so that the Examiner can argue their alignment is critical to the functioning of the device, no one

Date of Deposit: August 25, 2004
I hereby certify under 37 CFR 1.8(a) that this correspondence is
being deposited with the United States Postal Service as **first class**
mail with sufficient postage on the date indicated above and is
addressed to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

would call them alignment devices. There are not devices which function to align. They are devices that are aligned.

In effect, the Examiner reads alignment out of the claim because, according to the Examiner, anything can be an alignment device, even if it has no aligning function. If it works in alignment, the Examiner can now call the device an alignment device, even though it has no alignment function. This is so contrary to English usage as to be totally untenable.

Therefore, the rejection should be reversed.

Respectfully submitted,



Date: August 25, 2004

Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]